

**United States District Court**

for the

**District of Alaska****Petition for Warrant or Summons for Offender Under Supervised Release**

Name of Offender: Eldridge Bradley, Jr.

Case Number: A03-0088-01 CR (RRB)

Sentencing Judicial Officer: Ralph R. Beistline, U.S. District Court Judge

Date of Original Sentence: October 10, 2003

Original Offense: Conspiracy in violation of 18 U.S.C. § 371

Original Sentence: 9 months imprisonment

Date Supervision Commenced: July 2, 2004

Asst. U.S. Attorney: Crandon Randell

Defense Attorney: Mary Geddes

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**PETITIONING THE COURT**

- ☒ To issue a warrant  
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervised release:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
1	The defendant has violated the Standard Condition of Supervision 7, "The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance, or any paraphernalia related to any controlled substance, except as prescribed by a physician," in that on or about June 13, 2005, the defendant used cocaine. This violation is a grade C violation. This violation is a Grade C violation.
2	The defendant has violated the Standard Condition of Supervision 7, "The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance, or any paraphernalia related to any controlled substance, except as prescribed by a physician," in that on or about October 26, 2005, the defendant used cocaine. This violation is a Grade C violation.
3	The defendant has violated the Standard Condition of Supervision 7, "The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance, or any paraphernalia related to any controlled substance, except as prescribed by a physician," in that on or about April 24, 2006, the defendant used cocaine. This violation is a Grade C violation.

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- 4 The defendant has violated the Standard Condition of Supervision 7, "The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance, or any paraphernalia related to any controlled substance, except as prescribed by a physician," in that on or about May 8, 2006, the defendant used cocaine. This violation is a Grade C violation.
- 5 The defendant has violated the Special Condition of Supervision "The defendant shall refrain from any unlawful use of a controlled substance and shall submit to one drug test with in 15 days of release on supervision and at least two periodic drug tests thereafter, not to exceed 12 tests per month, at the direction of the probation officer," in that on June 12, 2006, the defendant failed to appear for his scheduled drug test. This is a grade C violation. This violation is a Grade C violation.
- 6 The defendant has violated the Mandatory Condition of Supervision "The defendant shall not commit another federal, state, or local crime and shall not illegally possess a controlled substance," in that the defendant was arrested on June 18, 2006, for Driving While License Suspended/Revoked and False Information. This violation is a Grade C violation.

## U.S. Probation Officer Recommendation:

The term of supervised release should be:

☒ Revoked  
☐ Extended for \_\_\_\_\_ year(s), for a total term of \_\_\_\_\_ years.

☐ The conditions of supervised release should be modified as follows:

Respectfully submitted,

**REDACTED SIGNATURE**

Chris Liedike  
U.S. Probation/Pretrial Services Officer  
Date: June 19, 2006

Approved by:

**REDACTED SIGNATURE**

Eric D. Odegard  
Supervising U.S. Probation Officer

## Petition for Warrant or Summons

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## THE COURT ORDERS

- [ ☒ ] The **WARRANT FOR ARREST** be delivered to the U.S. Marshal's Service; and the petition, probation officer's declaration, and a copy of the warrant shall be sealed in the Clerk's file and disclosed only to the U.S. Attorney for their official use, until the arrest of the offender. The petition for supervised release revocation is referred to the Magistrate Judge for initial appearance/preliminary hearing(s). The evidentiary hearing, if any, will be before the Magistrate Judge only upon consent; otherwise the evidentiary hearing will be before the undersigned District Court Judge.
- [ ] The issuance of a summons. The Petition for Supervised Release revocation is referred to the Magistrate Judge for initial appearance/preliminary hearing(s). The evidentiary hearing, if any, will be before the Magistrate Judge only upon consent; otherwise the evidentiary hearing will be before the undersigned District Court Judge.
- [ ] Other:

REDACTED SIGNATURE

Ralph R. Beistline  
U.S. District Court Judge

June 19, 2006  
Date

**Supervised Release Cases:** Pursuant to 18.U.S.C. § 3401(I), the sentencing District Court may designate a Magistrate Judge to conduct hearings to modify, revoke, or terminate supervised release, including evidentiary hearings, and to submit to the Court proposed findings of facts and recommendations, including disposition recommendations.

**Probation Cases:** Pursuant to *United States v. Frank F. Colacurcio*, 84 F.3d 326, a Magistrate Judge has the authority to conduct a probation revocation hearing only if the following three conditions are satisfied: (1) the defendant's probation was imposed for a misdemeanor; (2) the defendant consented to trial, judgment, and sentence by a Magistrate Judge; and (3) the defendant initially was sentenced by a Magistrate Judge. Therefore, a District Court may not designate a Magistrate Judge to conduct revocation hearings on probation cases where a District Court was the sentencing Court.

United States District Court  
for the  
DISTRICT OF ALASKA

UNITED STATES OF AMERICA

vs.

Eldridge Bradley, Jr.

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DECLARATION IN SUPPORT OF PETITION

I, Chris Liedike, am the U.S. Probation Officer assigned to supervise the Court-ordered conditions of Supervised release for Eldridge Bradley, Jr. , and in that capacity declare as follows:

On July 3, 2003, the defendant appeared before the Honorable Ralph R. Beistline, U.S. District Court Judge, for a change of plea hearing. Pursuant to a plea agreement, the defendant entered a plea of guilty to Conspiracy in violation of 18 U.S.C. § 371, a class D felony. The Court accepted the plea.

On October 10, 2003, the defendant was sentenced to nine months imprisonment and three years supervised release. The defendant was released from custody on July 2, 2004.

On July 6, 2004, the defendant met with a U.S. Probation officer and reviewed the defendant's conditions of release. Included in the defendant's conditions is the defendant shall submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter.

On June 13, 2005, the defendant submitted a urine sample that tested positive for cocaine (specimen no. A00196877), which has been confirmed positive by Quest Diagnostics. On this same date, the defendant signed an Admission of Drug Use form, indicating that he used cocaine on June 10, 2005.

On October 21, 2005, the defendant's substance abuse testing condition was modified as follows, "The defendant shall refrain from any unlawful use of controlled substances and shall submit to one drug test within 15 days of release on supervision and at least two periodic drug tests thereafter, not to exceed 12 tests per month, at the direction of the probation officer."

On October 26, 2005, the defendant submitted a urine sample that tested positive for cocaine (specimen no. A00237111), which has been confirmed positive by Scientific Testing



Laboratories, Inc.

On October 27, 2005, the defendant signed an Admission of Drug Use form, indicating that he used cocaine on October 22, 2005.

On March 20, 2006, the defendant was informed that he was placed on urinalysis testing that would be each Monday and Thursday.

On April 24, 2006, the defendant submitted a urine sample that tested positive for cocaine (specimen no. C00466717), which this sample was unable to be confirmed due to shipping problems. However, on this date, the defendant signed an Admission of Drug Use form, indicating that he used cocaine on April 21, 2006.

On April 25, 2006, the defendant attended a substance abuse intake/assessment with RITE, Inc.

On April 26, 2006, this officer received a recommendation for treatment concerning the defendant that included individual sessions with a counselor and group sessions, which this officer then made the arrangements for the defendant to attend the recommended sessions with the U.S. Probation/Pretrial Services office bearing all costs.

On May 8, 2006, the defendant submitted a urine sample that tested positive for cocaine (specimen no. C00466742), which has been confirmed positive by Scientific Testing Laboratories, Inc. On this date, the defendant admitted to a U.S. Probation/Pretrial Services Officer, that he knew his sample would be "dirty."

On June 12, 2006, the defendant failed to report to the U.S. Probation/Pretrial Services Office to submit to urinalysis testing.

On June 13, 2006, this officer attempted to contact the defendant by calling the defendant's cell phone and the defendant's telephone at his reported residence. Furthermore, this officer attempted to make contact with the defendant at his reported residence and the residence where his wife resides; however, this officer was unsuccessful.

On June 14, 2006, this officer received a voice message from the defendant that was left on June 13, 2006, at 7:20 p.m. stating that he was informed that this officer had stopped by his residence and that he had been in Eagle River job searching. The defendant also stated that he came to the U.S. Probation/Pretrial Services office on June 13, 2006, between the hours of 12:00 p.m. and 12:15 p.m. and "the place" was closed, so he stated that he left and could not make it back to the office.

Furthermore on June 14, 2006, the defendant submitted a urine sample (specimen no. C00466768) that was dilute. The sample has been forwarded to Scientific Testing Laboratories, Inc. for confirmation, which is pending.

On June 18, 2006, the defendant was contacted by an Anchorage Police Department Officer for speeding. The defendant was arrested for one count of False Information, due to providing the officer with a name other than his own, and one count of Driving While License Suspended/Revoked.

Executed this 19<sup>th</sup> day of June, 2006, at Anchorage, Alaska, in conformance with the provisions of 28 U.S.C. § 1746.

I declare, under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

**REDACTED SIGNATURE**

Chris Liedike  
U.S. Probation Officer